

REMARKS/ARGUMENTS

Applicant respectfully requests reconsideration and allowance of the subject application.

Claims 1-15 were originally presented.

Claims 2, 13-15 are canceled without prejudice.

No claims are added.

Claims 1, 3 and 11 are currently amended.

Claims 1, 3-12 remain in this application.

Examiner Interview

A telephone interview took place between Examiner Aristolelis Psitos and Emmanuel Rivera on August 29, 2006. In particular discussion took place regarding the element recited in canceled claim 2 and added in independent claims 1 and 11 reciting “wherein the reading comprises: reading a block of audio content; and iteratively repeating the reading step using different block sizes.”

The previous Office Action cited U.S. Patent No. 6,262,777 to Brewer et al (Brewer) and U.S. Patent No. 6,424,936 to Shen et al (Shen) as teaching this element; however, it was never specifically presented in the previous Office Action, and this Action as to where Brewer or Shen taught the element.

The element finds support in the specification at page 20, beginning at line 3, where it is described as to successive reads of different sector sizes (e.g., 2 sectors, 3 sectors, 4 sectors, 5 sectors, etc.).

Examiner Psitos presented that Brewer, col. 7, beginning at line 24 teaches such an element. This section of Brewer teaches that audio frames may vary in size and that different frame rates may exist; however, there is no teaching as to

1 reading, and iteratively performing the reading using different block or sector size,
2 as recited in independent claims 1 and 11.

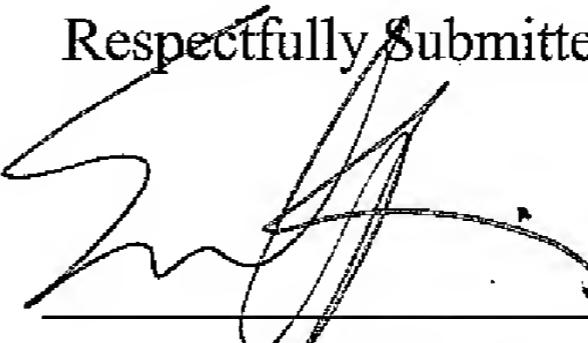
3 It was presented that Shen, col. 5, beginning at line 6, teaches the element.
4 This section of Shen, and Fig. 3 which is particularly referred to, teaches peak
5 value identification using an extended subband frame. This section teaches the
6 use of various samples of sub-frames to detect a signal; however, there is no
7 teaching as to reading, and iteratively reading using different block or sector sizes.

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1 **CONCLUSION**

2 All pending claims 1, 3-12 are in condition for allowance. Applicant
3 respectfully requests reconsideration and prompt issuance of the subject
4 application. If any issues remain that prevent issuance of this application, the
5 Examiner is urged to contact the undersigned attorney before issuing a subsequent
6 Action.

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8 Dated: 9/21/06

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10 Respectfully Submitted,
11 By: 
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